

# EXHIBIT 8

United States District Court  
Eastern District of Wisconsin

---

**Avery v. Manitowoc County**

04 C 986



Video Deposition of

**Kenneth Petersen**

Recorded 10/13/2005 in Manitowoc, WI

12:04 pm - 1:29 pm, 84 mins. elapsed

---

**Magne-Script**

(414) 352-5450

*15843 Standard transcript*

# Video Deposition of Kenneth Petersen 10/13/05

Page 1

Witness

Kenneth Petersen

Thursday 10/13/2005 at 09:00 by: Jeff Joseph

Nash, Spinlder, Grimstad & McCracken

201 East Waldo Boulevard

Manitowoc, WI

Caption: Avery v. Manitowoc County

Case No.: 04 C 986

Venue: United States District Court

Eastern District of Wisconsin

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

A P P E A R A N C E S

Walter F. Kelly  
Walter F. Kelly, S.C.  
700 W. Michigan St. #500  
Milwaukee, WI 53233  
On behalf of the Plaintiff

Stephen M. Glynn  
Glynn, Fitzgerald & Albee, S.C.  
526 E. Wisconsin Ave.  
Milwaukee, WI 53202  
On behalf of the Plaintiff

Claude J. Covelli  
Boardman, Suhr, Curry & Field  
1 S. Pinckney St. #410, PO Box 927  
Madison, WI 53701-0927  
On behalf of Denis Vogel and Manitowoc County

Timothy A. Bascom  
Bascom, Budish & Ceman, S.C.  
2600 N. Mayfair Rd. #1140  
Wauwatosa, WI 53226-1308  
On behalf of Manitowoc County

1 Raymond J. Pollen  
2 Crivello, Carlson & Mentkowski, S.C.  
3 710 N. Plankinton Ave. #500  
4 Milwaukee, WI 53203  
5 On behalf of Tom Kocourek and Manitowoc County  
6

7 John F. Mayer  
8 Nash, Spindler, Grimstad & McCracken  
9 201 East Waldo Boulevard  
10 Manitowoc, WI 54220  
11 On behalf of Tom Kocourek  
12

13 Also Present: Steven Avery  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1 Lenk?

2 A It's Lieutenant Lenk.

3 Q Lieutenant Lenk. I'm sorry.

4 A Yes.

5 Q And they told you about these events that had occurred  
6 in 1995 as they recalled them, correct?

7 A Yes.

8 Q Do you remember who else was involved in those  
9 conversations between you and -- well, let's start  
10 with Mr. Colborn?

11 A No, I believe both Andy Colborn and James Lenk came to  
12 my office at the same time.

13 Q And with no one else?

14 A Correct.

15 Q And you were with no one else?

16 A Correct.

17 Q So it was just the three of you?

18 A Yes.

19 Q Okay. And you had talked about this matter of the  
20 1995 telephone contact from an outside agency to the  
21 Manitowoc County Sheriff, correct?

22 A Yes.

23 Q And what did they tell you? Let's start with Sergeant  
24 Colborn. What did he tell you had occurred?

25 A He said when he was working in the jail, he had

1 received a phone call I believe from a detective in  
2 Brown County, that he had a suspect who said that he  
3 had assaulted a person in Manitowoc County and  
4 somebody else was in prison. And that's about it. He  
5 said he referred it to a detective and heard nothing  
6 of it after that.

7 Q And I take it that that was something that you  
8 considered to be significant material, correct?

9 A Yes.

10 MR. MAYER: Form of the question.

11 BY MR. GLYNN:

12 Q You recognize that if in fact the statement that was  
13 being reported by the detective in Brown County was  
14 accurate that someone may have been wrongfully  
15 convicted of something in Manitowoc County, correct?

16 A Correct.

17 MR. COVELLI: Objection. Calls -- no  
18 foundation.

19 BY MR. GLYNN:

20 Q You also recognize that since neither -- well, since  
21 -- let's just deal with Sergeant Colborn. Since  
22 Sergeant Colborn had not memorialized that telephone  
23 call in any way, that is he had not prepared a report  
24 concerning it, that he should now attempt to do that,  
25 correct?